THE BOARD OF SUPERVISORS OF THE COUNTY of STANISLAUS BOARD ACTION SUMMARY

DEPT: Parks and Recreation

BOARD AGENDA #: _____*B-4 (a)

AGENDA DATE: April 5, 2016

SUBJECT:

Approval to Set a Public Hearing on May 10, 2016, at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Department of Parks and Recreation

BOARD ACTION AS FOLLOWS:	No. 2016-161
and approved by the following vote,	Seconded by Supervisor <u>O'Brien</u>
Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini,	and Chairman Monteith
Noes: Supervisors: None	
Excused or Absent: Supervisors: None	
Abstaining: Supervisor: None	
1) X Approved as recommended	
2) Denied	
3) Approved as amended	
4) Other:	
MOTION:	

KING, Clerk of the Board of Supervisors ELIZABETH

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS AGENDA ITEM

DEPT: Parks	and Recreatio	n	BOARD AGENDA #	≠: *B-4 (a)
Urger	t O Rout	tine 🔍 🌈	AGENDA DATE: _	
CEO CONCUF		pht (4/5 Vote Required:	Yes O No ⊙

SUBJECT:

Approval to Set a Public Hearing on May 10, 2016, at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Department of Parks and Recreation

STAFF RECOMMENDATIONS:

1. Set a Public Hearing on May 10, 2016, at 9:05 a.m. to introduce and waive the first reading of an ordinance to establish new and amend existing fees for the Department of Parks and Recreation.

DISCUSSION:

Stanislaus County Department of Parks and Recreation (Department) operates four regional parks which charge entrance, use, and privilege/service fees: Frank Raines Off-Highway Vehicle Park, La Grange Off-Highway Vehicle Park, Modesto Reservoir, and Woodward Reservoir. The revenue collected from these fees pays for the operations and maintenance of these facilities. In addition, the Frank Raines and La Grange Off-Highway Vehicle Parks receive State grants for the operations and maintenance as well as special projects.

Annually, in preparation for the proposed budget, the Department evaluates the cost of services provided and the fees associated with these regional parks. The evaluation process includes the consideration of new or additional fees, where appropriate, as well as modifications to existing fees in order to cover the cost of operations and maintenance at these sites (Attachment A). The recently conducted fee survey of similar facilities in the surrounding areas found that the proposed fees are comparable to other parks, with the exception of the Day Use fee, which is slightly higher and would be paid by out-of-county visitors. The Day Use fee for comparable recreation areas averages close to \$10. Other fee increases include vessels, camping, annual passes, late exit fee, fireworks show, picnic shelter, and dog field trial training for both private and commercial. One new proposed fee is a deposit for large (over 5,000 persons) events, which is refundable if conditions are met.

In a regularly scheduled meeting on February 11, 2016, the Parks Commission reviewed the proposed fees and recommended to support the proposed fees. On February 17, 2016, the Department held a workshop (Attachment B) to discuss the proposed fee changes with the public. Three people from the public attended the workshop. Clarifying questions were asked and one positive comment was received indicating that they were happy to see the Senior rates were not increased. Additionally, two comments were received on the proposed fees potentially pricing community events out of the parks. In addition, a concern was expressed

Approval to Set a Public Hearing on May 10, 2016, at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Department of Parks and Recreation

that increasing the exclusive use fees for an outside venue, in addition to paying agreed upon per person fees, for large events was significantly higher than the event coordinators have paid for other venues. Based on these comments and research, the department has concluded to not increase exclusive use fees as there is the ability to negotiate per person fees for large events.

Information about the workshop was disseminated through the Department's normal process via e-mail to parties affected by the fees including waterfowl hunters, off-highway vehicle enthusiasts, regular users of the Exclusive Use process, the Stanislaus County Fish and Wildlife Committee, and the Stanislaus County Parks and Recreation Commission, as well as members of the public who requested to be placed on a notification list. In addition, information regarding the proposed fees is posted on the Department's Internet site.

Proposition 26

Proposition 26 was approved by California voters on the November 2010 ballot. Its passage amended sections of the California Constitution to define many fees as taxes, stipulating that they can no longer be levied or increased unless passed by not less than a two-thirds majority vote. The proposition, however, exempts specific types of fees from this requirement as follows: 1) charges imposed for entrance to or use of local government property; and 2) charges for a specific benefit, privilege, or governmental service granted directly to the payor.

County Counsel has opined that Parks and Recreation fees are exempt from Proposition 26, but did clarify that benefit, privilege, and service fees such as hunting permits and reservation fees cannot be discounted. In these fee categories, all customers must be charged equally and the amounts charged cannot exceed the reasonable cost to provide the benefit/privilege/service. The Department is not proposing to discount any benefit/privilege/ service fees and the fees within these categories reflect only the cost of providing these services.

POLICY ISSUE:

Prior to levying a new fee or amending an existing fee, the County is required by Government Code Section 54985 et seq., to hold a scheduled public hearing as part of a regularly scheduled meeting of the Board of Supervisors. At that time the Board may introduce and waive the first reading of an ordinance to establish new and amend existing fees of the Department of Parks and Recreation. If approved, these fee changes will become effective on June 26, 2016.

FISCAL IMPACT:

Estimated revenue for Fiscal Year 2015-2016 is \$2,400,000, if the fee adjustments are approved, the potential revenue for Fiscal Year 2016-2017 will be approximately \$2,640,000 and will be included in the Department's Fiscal Year 2016-2017 Proposed budget.

Approval to Set a Public Hearing on May 10, 2016, at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Department of Parks and Recreation

Cost of recommended action: Source(s) of Funding:		\$	240,000
Parks Fee Revenue Funding Total: Net Cost to County General Fund	\$ 240,000)	240,000
Fiscal Year: Budget Adjustment/Appropriations needed:	2016-2017 No		

Fund Balance as of

BOARD OF SUPERVISORS' PRIORITY:

The recommended action supports the Board's priorities of A Safe Community, A Healthy Community, A Well Planned Infrastructure System, and the Efficient Delivery of Public Services by making funds available to the Department of Parks and Recreation to continue to operate efficiently and effectively, and to assist in promoting a safe and healthy environment and improving the quality of life in Stanislaus County.

STAFFING IMPACT:

Existing staff will support these recommended actions.

CONTACT PERSON:

Jami Aggers, Director of Parks and Recreation

Telephone: 209-525-6770

ATTACHMENT(S):

- A. Fee Schedule
- B. Notice of Public Workshop

ORDINANCE NO. C.S.

AN ORDINANCE ADOPTING NEW AND AMENDING EXISTING FEES COLLECTED BY THE DEPARTMENT OF PARKS AND RECREATION

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Fees to be collected by the Department of Parks and Recreation are adopted and amended as set forth in the Department of Parks and Recreation Fee Schedule attached hereto as Attachment A and incorporated by reference, a copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

Section 2. This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of fifteen (15) days after its passage, it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor______, seconded by Supervisor ______, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of ______, 2016, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairman of Board of Supervisors County of Stanislaus, State of California ATTEST:

ELIZABETH A. KING, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By_

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Deputy Clerk

APPROVED AS TO FORM:

JOHN P. DOERING COUNTY COUNSEL

By ≤

Amanda Dehart Assistant County Counsel

PARKS AND RECREATION PROPOSED FEES 2016

Attachment A

Prior rates remain in effect until new rates are effective June 26, 2016

STANDARD FEES		OLD	PER	CHANGE
DAY USE	6:00AM TO 10:00PM			Proposed
Vehicle		\$10	vehicle	\$15
Vessel			vessel	\$10
Holiday Day Use Fee	Applies to Memorial Day, Independence Day, & Labor Day		vehicle	no change
DAY USE DISCOUNTS	6:00AM TO 10:00PM	1 **		
Stanislaus County Resident	Driver's License proof of residency (except on Fireworks Show days)		f	\$10
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$5	vehicle	no change
Senior/Disabled Vessel	Seniors must be 62 years and over		vessel	no change
Veteran Vehicle	Free on Veteran's Day and Memorial Day each year	· ·	vehicle	no change
Veteran Vessel	Free on Veteran's Day and Memorial Day each year		vessel	no change
CAMPING	PER NIGHT			
Vehicle at campsite		\$20	vehicle	\$25
Vehicle at hookup campsite	Includes A-D loop Mod Res	\$25	vehicle	\$30
2nd Vehicle at campsite	Max vehicle per campsite is 2	· · ·	one allowed	\$25
Designated Group Campsite Fee	Additional camping vehicle fees apply (Modesto Reservoir Only)		night	\$90
Holiday Weekend Fee	Applies to 3 weekend-nights during Memorial/Independence/Labor Day Holiday		night/vehicle	no change
CAMPING DISCOUNTS	PER NIGHT	1 7-		
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$10	vehicle	no change
Senior/Disabled Vehicle (hookup)	includes A-D loop Mod Res; Seniors must be 62 years and over		vehicle	no change
Veteran Vehicle* camping	From Nov. 1st through 14th, \$5/night for one vehicle ONLY		vehicle	no change
Veteran Vehicle (hookup)	Includes A-D loop Mod Res; From Nov. 1st through 14th, \$5/night for one vehicle ONLY		vehicle	no change
ANNUAL PASSES	Rule: Only one discount is allowed per customer, see rules and regs for details	μ β 13	Venicie	Ino change
Annual Pass-Vehicle	when only one discount is anowed per customer, see fulles and regs for details	400	vehicle	\$100
Annual Pass-2nd Vehicle			vehicle	<u> </u>
				\$50
Annual Pass-Vessel			vessel	\$100
Annual Pass-2nd Vessel		\$40	vessel	\$50
ANNUAL PASS DISCOUNTS	APPLIES TO DAY USE ONLY			
Senior/Disabled Vehicle	Seniors must be 62 years and over	<u> </u>	vehicle	\$50
Senior/Disabled Vessel			vessel	\$50
Veteran Vehicle*			vehicle	\$50
Veteran Vessel*		\$40	vessel	\$50
OHV FEES	· · · · · · · · · · · · · · · · · · ·			
OHV Day Use	OHV day use hours are from dawn to dusk		vehicle	no change
OHV Veteran Day Use	\$1.00 net discount	\$4	vehicle	no change
OHV Senior/Disabled Day Use	\$1.00 net discount	\$4	vehicle	no change
OHV Annual Day Use Pass		\$80	vehicle	\$100
OHV Camping		\$15	vehicle	no change
OHV Camping (hookup)		\$25	vehicle	no change
OHV 2nd Vehicle at Campsite	2 Max. veh. per site, unless authorized	\$10	one allowed	no change
ANNUAL PASS	APPLIES TO DAY USE ONLY			
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$40	vehicle	\$50
Senior/Disabled Vessel	Seniors must be 62 years and over	\$40	vessel	\$50
Veteran Vehicle		\$40	vehicle	\$50
Veteran Vessel		\$40	vessel	\$50
CAMPING DISCOUNTS	PER NIGHT			
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$10	vehicle	no change
Senior/Disabled Vehicle (hookup)	Seniors must be 62 years and over	\$15	vehicle	no change
Veteran Vehicle	From Nov. 1st through 14th, \$5/night for one vehicle ONLY		vehicle	no change
Veteran Vehicle (hookup)	From Nov. 1st through 14th, \$5/night for one vehicle ONLY		vehicle	no change
HUNTING FEES				
Deer/Rabbit/Pig Hunting Permit		\$15	week/weekend	no change
Annual Deer/Rabbit/Pig Hunting Permit		\$100	fiscal year	no change
(valid July through June per rules and			1	
regulations)	· · · · · · · · · · · · · · · · · · ·			<u> </u>
Waterfowl Draw Registration Fee			registration	no change
Waterfowl Blind Permit Fee			permit	no change
Waterfowl Blind Deposit (Refundable)		\$300	registration	no change
OTHER FEES	RULES (See complete Rules and Regulations)			
Exclusive Use		\$90	day	no change
	Deposit for large events - Refundable if conditions are met. May be required for events over		one time	\$10,000
	5,000 people.	1	L	L
Event Fee	Addt'l charge if OHV entrance station fees are collected for event.	\$5	vehicle	no change
1				
Key Deposit	Refundable	\$30	event	no change
Reservation Fee (nonrefundable)	Full fee required within 7 days		day	no change
	Page 1 of 2			

PARKS AND RECREATION PROPOSED FEES 2016 Attachment A

Prior rates remain in effect until new rates are effective June 26, 2016

\$100 \$25 \$60 \$250 \$250 \$35 \$10 \$20	5 change/canc 0 application 5 day 0 hour 0 day 0 reservation 5 day 0 exit 0 exit	no change no change no change no change no change no change
\$60 \$250 \$35 \$10 \$20	0 hour 0 day 0 reservation 5 day 0 exit	no change no change no change no change
\$60 \$250 \$35 \$10 \$20	0 day 0 reservation 5 day 0 exit	no change no change no change
\$250 \$35 \$10 \$20	0 reservation 5 day 0 exit	no change no change
\$35 \$10 \$20	5 day 0 exit	no change
\$10 \$20	0 exit	
\$20		\$15
	Vehicle	
\$100		\$25
	0 month	no change
\$35	5 month	no change
\$60	0 day	\$90
\$75	5 day	no change
\$100) use	no change
\$200) competition	no change
\$300	Competition	no change
\$75	5 annual	\$100
\$50	Jannual	\$7
\$3	3 dog/horse/day	no change
\$40) horse	\$50
\$20) horse	\$25
¢10	J replacement	no change
	\$200 \$300 \$75 \$50 \$3 \$44 \$20	\$100 use \$200 competition \$300 competition \$75 annual \$50 annual \$3 dog/horse/day \$40 horse \$20 horse \$10 replacement

Accepted forms of proof are: Distinguished Veteran Pass, DD-214 Certificate, valid Military ID, or Department of Veterans Affairs ID, and other IDs approved by Dept.

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Department of Parks and Recreation 3800 Cornucopia Way, Suite C Modesto, CA 95358-9492 Phone: 209.525.6750 Fax: 209.525.6773



WORKSHOP for PROPOSED FEE CHANGES 2016

WEDNESDAY, FEBRUARY 17TH, 2016 5:00 PM – 6:00 PM AGRICULTURAL CENTER, Harvest Hall (Rooms D & E) 3800 CORNUCOPIA WAY MODESTO, CA 95358

This notice is an invitation to attend a public meeting to discuss proposed revisions to the Stanislaus County Master Schedule of Fees for the Department of Parks and Recreation. To achieve and maintain an appropriate level of service, our department is recommending new fees and changes and would like feedback from our customers. Your input and experience are valuable to help us in our decision-making process.

This workshop is being conducted prior to the Board of Supervisors approval of the fee proposal.

Please join our staff to discuss the newly proposed fee schedule.

Your feedback is important to us. If you are not able to attend, you may submit any comments in writing by email to: <u>msong@parksrec.org</u>

> OR by mail to: Stanislaus County Parks and Recreation (Fees) 3800 Cornucopia Way, Suite C Modesto, CA 95358

The proposed fee changes/added are in noted in the fee schedule attached.

NOTICE IS HEREBY GIVEN that on May 10, 2016, at 9:05 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the introduction and waiving of the first reading of the following proposed ordinances:

- A. An ordinance to establish new fees and amend existing fees for the Department of Parks and Recreation. The proposed fee adjustments would consist of:
 - New fee for a deposit for large exclusive use events
 - New day use discount for Stanislaus County residents
 - Increased fees for day use vehicle/vessel, camping, 2nd vehicle at campsite, designated group campsite; annual passes; annual pass discounts; late exit fee; fireworks show, picnic shelter, and, dog field trial competition commercial and private (for further information, contact Jami Aggers, Director of Parks and Recreation, at (209) 525-6768, jaggers@envres.org, or at 3800 Cornucopia Way, Suite C, Modesto, CA).
- B. An ordinance to establish new fees, amend existing fees, and eliminate fees for the Department of Environmental Resources. The proposed fee adjustments would consist of:
 - New fees for implementation and maintenance of the Hazardous Materials California Environmental Reporting System (CERS) database, Hazardous Materials change of ownership/transfer fee, Hazardous Materials monitoring wells and soil borings, Environmental Health water well permit transfer, extension, and amendment fees, and Milk and Dairy plan review, rescoring, compliance inspections, sampling, and applying for Grade A fees.
 - Fee changes for Hazardous Materials Aboveground Storage Tanks and the Farm Disclosure Program, Milk and Dairy Grade A and Grade B quarterly fees including Other Hooved Mammals, and changes of ownership, tipping fees for waste-to-energy ash disposal, Landfill Hard-to-Handle bulk materials and mattresses, and various Hazardous Materials Programs (for further information, contact Jami Aggers, Director of Environmental Services, at (209) 525-6770, jaggers@envres.org or at 3800 Cornucopia Way, Suite C, Modesto, CA).
- C. An ordinance to establish new fares and amend or eliminate existing transit fares for the Department of Public Works Transit Division related to transit operations provided in the County's service area, (for further information, contact Matt Machado, Director of Public Works, at (209) 525-4153, or Eunice Lovi, Transit Manager at (209) 525-7560 or visit the office at 1010 10th Street, Suite 4204, Modesto, CA).
- D. An ordinance to decrease two existing fees for the County Clerk-Recorder-Elections Division (for further information, contact Marnie Ardis, Clerk Recorder-Elections Division at (209) 525-5211 ardism@stancounty.com or at 1021 | Street, Modesto, CA).

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules will be available for review on April 29, 2016, in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to one or more of the above items is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors.

BY ORDER OF THE BOARD OF SUPERVISORSDATED:April 19, 2016ATTEST:ELIZABETH A. KING, Clerk of the Board of Supervisors
of the County of Stanislaus, State of California.

Pam Villarreal, Assistant Clerk

BY:

DECLARATION OF PUBLICATION (C.C.P. S2015.5)

COUNTY OF STANISLAUS STATE OF CALIFORNIA

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Apr 29, 2016, May 05, 2016

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

May 5th, 2016

(By Electronic Facsimile Signature)

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STANISI AUS COUNTY

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that on May 10, 2016, at 9:05 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Cham-bers, 1010 10th St., Modesto, CA, to consider the introduction and waiving of the first reading of the following proposed ordinances:

A. An ordinance to establish new fees and amend existing fees for the Depart-ment of Parks and Recreation. The proposed fee adjustments would consist of: - New fee for a deposit for large exclusive

 New fee for a deposit for large exclusive use events
New day use discount for Stanislaus County residents
Increased fees for day use vehicle/ vessel, camping, 2nd vehicle at camp-site, designated group campsite; annual passes; annual pass discounts; late exit fee; fireworks show, picnic shelter, and, dag field trial comparation compared fee; fireworks show, picnic shelter, and, dog field trial competition commercial and private (for further information, con-tact Jami Aggers, Director of Parks and Recreation, at (209) 525-6768, jaggers@envres.org, or at 3800 Comu-copia Way, Suite C, Modesto, CA). B. An ordinance to establish new fees, amend existing fees, and eliminate fees for the Department of Environmental Re-sources. The proposed fee adjustments would consist of: . New fees for implementation and main-

- New fees for implementation and main-tenance of the Hazardous Materials California Environmental Reporting System (CERS) database, Hazardous Materials change of ownership/transfer fee, Ha-zardous Materials monitoring wells and soil borings, Environmental Health water well permit transfer, extension, and amendment fees, and Milk and Dairy plan review, rescoring, compliance in-spections, sampling, and applying for Grade A fees.

- Fee changes for Hazardous Materials Aboveground Storage Tanks and the Farm Disclosure Program, Milk and Dai-ry Grade A and Grade B quarterly fees including Other Hooved Mammals, and changes of ownership, tipping fees for waste-to-energy ash disposal, Landfill Hard-to-Handle bulk materials and mattresses, and various Hazardous Ma-terials Programs (for further information, center) them is denore. Director of Equi contact Jami Aggers, Director of Envi-ronmental Services, at (209) 525-6770, jaggers@envres.org or at 3800 Cornu-copia Way, Suite C, Modesto, CA). C. An ordinance to establish new fores and general at elimitatio aviding the providence of the product of the service of the s

and amend or eliminate existing transit fares for the Department of Public Works Transit Division related to transit operations provided in the County's service ar-ea, (for further information, contact Matt Machado, Director of Public Works, at (209) 525-4153, or Eunice Lovi, Transit Manager at (209) 525-7560 or visit the of-fice at 1010 10th Street, Suite 4204, Modesto, CA). D. An ordinance to decrease two existing

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ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules will be available for review on April 29, 2016, in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Mo-dorte C4 desto, CA. NOTICE IS FURTHER GIVEN that at

the said time and place, interested per-sons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to one or more of the above items is made in court, persons may be li-mited to raising only those issues they or someone else raised at the public hear-ing described in this notice, or in written Ing described in this notice, or in written correspondence delivered to the Board of Supervisors. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: April 19, 2016. ATTEST: Elizabeth A. King, Clerk of the Board of Supervisors of the County of Stanislaus, State of Cali-fomia. BY: Pam Villarreal, Assistant Clerk.